

FILED

FEB 23 2018

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *SM*
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

SARAH RASHELLE ALMAGUER
AKA SARAH RASHELLE EVANS

CASE NUMBER: *W18-44M*

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

From on or about December 4, 2017, until at least on or about December 14, 2017, in Bell County, in the Western District of Texas, defendant(s), employ, use, persuade, induce, entice, and coerce or did attempt to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was produced using materials that had been mailed, shipped, and transported in interstate or foreign commerce, by any means, in violation of Title 18, United States Code, Section(s) 2251(a) and (e).

I further state that I am a(n) Special Agent, United States Secret Service, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

continued on the attached sheet and made a part hereof: YES



MARCUS IVEY, Special Agent
United States Secret Service

Sworn to before me and subscribed in my presence,

February 23, 2018

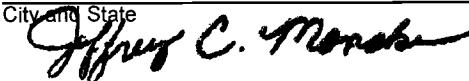
Date

Jeffrey C. Manske
U.S. Magistrate Judge

Name & Title of Judicial Officer

Waco, Texas

City and State



Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Marcus Ivey, being duly sworn, state as follows:

1. I am a Special Agent (SA) of the United States Secret Service (USSS), Waco Division, Waco Resident Agency. I have been employed as a Special Agent with the USSS for over nineteen years. My responsibilities include the investigation of crimes involving fraud within the Western District of Texas. This includes the offense of counterfeiting U.S. currency. I have been involved with numerous investigations involving counterfeit U.S. currency. Additionally, I have had several opportunities to accompany the Texas Office of the Attorney General as they have executed search warrants pertaining to violations of 18 U.S.C. § 2256. I have consulted with Texas Office of the Attorney General Sergeant Dara Bowlin. Sgt. Bowlin is assigned to investigate "Crimes Against Children" which includes child exploitation, child pornography, and the online sexual exploitation of children. She has received training in the area and investigation of child pornography (as defined in 18 U.S.C. § 2256) and child exploitation, and have, as part of her duties as a Texas Peace Officer, has investigated violations relating to child exploitation and child pornography. These include crimes pertaining to the possession, distribution, receipt, advertising, and production of child pornography, in violation of Title 18 United States Code, Sections 2251 and 2252A. The facts contained in this affidavit have been relayed to me by Sgt. Bowlin.

2. This affidavit is submitted in support of a criminal complaint against SARAH RASHELLE ALMAGUER AKA SARAH RASHELLE EVANS ("ALMAGUER" or "Defendant"), a 26-year old born in 1991, for violations of Title 18, United States Code, Section 2251 and 2252A.

3. Title 18, United States Code, Section 2251 states, in relevant part:

(a) Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, shall be punished as provided under subsection (e), if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

4. Title 18, United States Code, Section 2252A states, in relevant part:

(a) Any person who—

(1) knowingly mails, or transports or ships using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, any child pornography;

(2) knowingly receives or distributes—

(A) any child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer; or

(B) any material that contains child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer;

(3) knowingly—

(A) reproduces any child pornography for distribution through the mails, or using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer; or

(B) advertises, promotes, presents, distributes, or solicits through the mails, or using any means or facility of interstate or foreign

commerce or in or affecting interstate or foreign commerce by any means, including by computer, any material or purported material in a manner that reflects the belief, or that is intended to cause another to believe, that the material or purported material is, or contains—

- (i) an obscene visual depiction of a minor engaging in sexually explicit conduct; or
- (ii) a visual depiction of an actual minor engaging in sexually explicit conduct;

* * * * *

(5) either—

- (A) knowingly possesses, or knowingly accesses with intent to view, any book, magazine, periodical, film, videotape, computer disk, or any other material that contains an image of child pornography that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including computer;
- (6) knowingly distributes, offers, sends, or provides to a minor any visual depiction, including any photograph, film, video, picture, or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, where such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct—
 - (A) that has been mailed, shipped, or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer;
 - (B) that was produced using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer; or
 - (C) which distribution, offer, sending, or provision is accomplished using the mails or any means or facility of interstate or foreign commerce, for purposes of inducing or persuading a minor to participate in any activity that is illegal;

shall be punished as provided in subsection (b).

5. This affidavit is based on information relayed to me by Sgt. Bowlin. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of the complaint, it does not contain every fact known to me or Sgt. Bowlin.

FACTS

6. On February 21, 2018, your Affiant, Sgt. Dara Bowlin with the Office of the Attorney General of Texas (OAG), Criminal Investigations Division, Child Exploitation Unit, was assigned National Center for Missing and Exploited Children (NCMEC) Cyber Tipline (CT) Reports 28008459 and 28008461 for investigation. The CT reports were generated by NCMEC when Facebook.com reported a user for uploading suspected images and videos containing child pornography.

7. Your Affiant reviewed CyberTip 28008459. The CyberTip indicated on 12-11-2017 at 04:25:06 UTC, a video was uploaded to Facebook.com by the following user:

Name:	Sarah Almaguer
Date of Birth:	06-04-1991
Approximate Age:	26
Email Address:	ilovesarahevans@yahoo.com (Verified)
Screen/User Name:	sarah.r.almaguer
ESP User ID:	1210384894
Profile URL:	http://www.facebook.com/sarah.r.almaguer
IP Address:	2607:fb90:46ab:6e1:acf4:c44b:df88:b438 (Login) 02-13-2018 18:18:29 UTC

File Name	Description
8v0070lj0e80gocs25204263_148316157513215 3_667473771759990051_.mp4	A 14 second video file depicting an approximately 10-12 year old female child posing topless in front of a mirror holding a blue cellular phone. The child is nude from the waist up and is tugging on her right breast.

8. Your Affiant reviewed CyberTip 28008461. The CyberTip indicated that between 12-04-2017 at 20:01:38 and 12-14-2017 08:49:27 UTC, 15 files of child pornography were uploaded by the following user:

Name:	Sarah Almaguer
Phone:	+12543935201 (Mobile)
Date of Birth:	06-04-1991
Approximate Age:	26
Email Address:	salmaguer91@gmail.com (Verified)
ESP User ID:	100005080755400
Profile URL:	http://www.facebook.com/people/Sarah-Almaguer/100005080755400
IP Address:	2607:fb90:4659:b8c:5558:488f:f9d2:a9d1 (Login) 02-15-2018 06:37:04 UTC
IP Address:	2607:fb90:5ca7:b44c:12fa:4f77:f318:2b1d 02-16-2018 23:21:50 UTC

9. Your Affiant viewed the 15 reported files of suspected child pornography. A description of three (3) of those files are as follows:

File Name	Description
aqbjnq41ogg84s0g24308254_844371505742200_3823627543303421952_n.mp4	A 47 second video file depicting an adult sexually assaulting a female infant. The adult female is penetrating the infant's vagina with her tongue and her fingers.
96qvc6wmwkkwc4g10000000_844971375682213_7035649536043253760_n.mp4	A 55 second video file depicting a close-up of a female infant's vagina. An adult is spreading the labia of the child's vagina open and digitally penetrating the child.
a8id1yx54740wc8c10000000_845984095580941_3122385647315189760_n.mp4	A two minute 28 second video depicting a nude female child approximately 3-5 years of age taking a shower. While in the shower, a female voice directs the child to lie down and spread her vagina open. An adult hand can be seen penetrating the vagina of the child. The female voice can be heard offering the child candy for her cooperation.

10. Your Affiant noted that each CyberTip included the name of the name and date of birth of the reported person as Sarah Almaguer, 06/04/1991. Also included in the information

provided by Facebook.com were two (2) email addresses of ilovesaraheevans@yahoo.com and salmaguer91@gmail.com, and a phone number of 254-393-5201.

11. An OAG crime analyst assigned to the Child Exploitation Unit was able to locate a Texas Identification Card, Application for Texas Identification Card, Lone Star benefits for Sarah Rashelle Almaguer, email ilovesaraheevans@yahoo.com. The email address of salmaguer91@gmail.com and phone number of 254-393-5201 are listed on Sarah Almaguer's Texas Identification Card application. Listed on Sarah Almaguer's Texas Identification is the maiden name of Evans.

12. Your Affiant also was able to query the Facebook page of Sarah Almaguer. Affiant noted that a photograph, located in the photos section, was the same female that is depicted in the Texas Identification Card photograph. Affiant compared the female depicted in the Texas Identification Card photograph and the Facebook.com photograph to the female sexually assaulting the children, in the videos described above, and noted they appear to be the same person.

13. On February 21, 2018, your Affiant sent an Administrative Subpoena to Facebook.com requesting user information associated with the Facebook.com accounts referenced in the CyberTips. Facebook.com provided responsive documentation showing the following:

Name: Sara Almaguer

Email: salmaguer91@gmail.com

Cell phone: 254-393-5201

14. Sarah Almaguer's Texas Identification Card, Application for Texas Identification Card, and Lone Star benefits information all list Sarah Almaguer's address as:

1101 N 4th Street, Killeen, Bell County, Texas 76541

15. On February 21, 2018, your Affiant spoke with an investigator from the Texas Department of Family and Protective Services, Child Protective Services (CPS) and was informed that there is currently an open investigation involving Sarah Almaguer, her husband Chris Almaguer, and their five (5) children. The investigator advised she has been in Sarah Almaguer's residence, 1101 N. 4th Street, Killeen, Bell County, Texas 76541, within the past and that Sarah is still residing there. Additionally, the CPS investigator stated neither Sarah or Chris have a vehicle and neither are employed. Your Affiant also sent a picture, of a couch seen in one of the videos, to the CPS investigator. The CPS investigator confirmed the couch depicted in the photo appears to be the same couch that was located inside the residence of 1101 N. 4th Street, Killeen, Bell County, Texas 76541.

CONCLUSION

16. Based on the foregoing, there is probable cause to believe that SARAH RASHELLE ALMAGUER AKA SARAH RASHELLE EVANS has committed the offenses set forth in the attached Criminal Complaint.



MARCUS IVEY, Special Agent
United States Secret Service

SWORN TO AND SUBSCRIBED before me at on the 23rd day of February, 2018.



JEFFREY C. MANSKE
UNITED STATES MAGISTRATE JUDGE